

SEVENTH DAY

(Monday, January 23, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Christie	Parkhouse
Cole	Patman
Connally	Ratliff
Creighton	Reagan
Grover	Schwartz
Hall	Strong
Hardeman	Wade
Harrington	Watson
Hazlewood	Wilson
Herring	Word

Absent—Excused

Brooks

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, January 19, 1967 was dispensed with and the Journal was approved.

Leave of Absence

Senator Brooks was granted leave of absence for today on account of important business on motion of Senator Jordan.

Senate Resolution 33

Senator Blanchard offered the following resolution:

Whereas, The Senate of Texas has adopted permanent rules for the 60th Legislative Session; and

Whereas, These rules have been used for many years in the Texas Senate; and

Whereas, Changes and growth in all phases of Texas government, economy, and policy have resulted in re-examination of procedures and regulation in each of these phases; and

Whereas, The Members of the Texas

Senate, while cognizant of the value of tradition, recognize that tradition itself demands their being a responsible and responsive body; and

Whereas, Many Members of the Texas Senate believe that there is need for re-examination of the procedures and rules of the Senate to determine if changes or improvement of those rules could result in a more efficient and effective operation of the Senate; and

Whereas, The Members of the Senate have traditionally based its decisions in all deliberations upon the best possible information available and after careful consideration of all possible results; and

Whereas, The Lt. Governor of Texas has demonstrated his conviction that each issue submitted to this body is entitled to a fair and considerate hearing and that each Member of the Senate should be afforded an opportunity to set forth his views on behalf of his constituency under modern rules of procedure; now therefore, be it

Resolved, that the Lt. Governor of Texas be authorized to appoint a Committee of seven (7) Members of the Senate to examine and study the existing Rules of the Senate, in the light of present times and circumstances and to report to the Senate, prior to its final adjournment, its recommendations as to the feasibility or need for changes in said rules; and be it further

Resolved, That the Dean of the Senate be appointed to serve as chairman of said committee and that the other members be selected with the idea of giving a voice to the various views of the members of the Senate for the 60th Legislature.

BLANCHARD
STRONG

The resolution was read and was adopted.

On motion of Senator Blanchard, and by unanimous consent, the vote by which S. R. No. 33 was adopted was reconsidered.

Question—Shall S. R. No. 33 be adopted?

On motion of Senator Blanchard, and by unanimous consent, further consideration of S. R. No. 33 was temporarily withdrawn.

Senate Bills on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senator Hardeman:

S. B. No. 2, A bill to be entitled "An Act to be known as 'The Medical Assistance Act of 1967' for the purpose of providing Medical Assistance on behalf of needy individuals in the State of Texas; expressing the Legislative Intent; designating the State Department of Public Welfare as the State Department to administer such Act; providing for the cooperation of the State Department with the Department of Health, Education, and Welfare and/or any other Federal Agencies or Departments authorized to provide Medical Assistance on behalf of needy individuals; authorizing the acceptance and the expenditure of Federal funds for the purpose of carrying out the provisions of this Act; authorizing the State Department to administer and expend State funds allocated and appropriated for such purposes; authorizing the transfer of assistance funds to the "Medical Assistance Fund"; providing for the appointment of a Medical Care Advisory Committee and other advisory committees as necessary; providing for such methods of administration as may be necessary for the proper and efficient operation of the program; authorizing paid educational leave to employees; authorizing research and demonstration projects; authorizing the State Department to enter into cooperative agreements with other State Agencies; authorizing the State Department to promulgate reasonable rules and regulations for the purpose of carrying out the provisions of this Act; making Medical Assistance available on behalf of needy individuals and providing for the payment of same; authorizing the State Department to determine the scope, duration, and amount of Medical Assistance to be made available on behalf of needy individuals; providing for appeals; providing for the confidentiality of records of individuals; providing for the right of subrogation; providing for the processing of fraud cases and penalties therefor; amending Section 2 of Article XX of Chapter 184, Acts of the 47th Legislature, Regular Session, 1941, as amended, by amending Subsection (7); fixing the effective dates of the provisions of this Act;

providing a repealing clause with specific reference to inconsistent legislation, a savings clause, and declaring an emergency."

To the Committee on Finance.

By Senator Hardeman:

S. B. No. 3, A bill to be entitled "An Act establishing Permian State College and providing for its management and operation, and declaring an emergency."

To the Committee on Education.

By Senator Hardeman:

S. B. No. 4, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, the payment of claims against the State, and for State aid to public junior colleges, for the two-year period beginning September 1, 1967, and ending August 31, 1969; authorizing and prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency."

To the Committee on Finance.

By Senator Parkhouse:

S. B. No. 5, A bill to be entitled "An Act repealing Section 4a of Acts 1961, 57th Legislature, 1st Called Session, page 38, chapter 15; and declaring an emergency."

To the Committee on State Affairs.

By Senators Parkhouse, Kennard, Wade, Mauzy, Hall, and Creighton:

S. B. No. 6, A bill to be entitled "An Act authorizing the creation of the North Central Texas Airport Authority in Dallas and Tarrant Counties, Texas; defining terms; providing for petition and election on the question of the creation of the authority and authorizing a tax not to exceed seventy-five cents (75¢) on the one hundred dollars (\$100.00) assessed valuation; constituting the authority a body politic and corporate, governmental and public in nature; providing for the organization and meetings of the board of directors and the selection and qualifications of the members thereof; conferring powers and imposing duties on the authority and its board of directors, including the power of eminent domain, the power to adopt rules and regulations and

to provide penalties for violations thereof, and other powers; providing for the assessment, levy and collection of taxes; creating a lien for taxes levied; authorizing the issuance of bonds of various types, and prescribing the conditions, terms, and provisions under and pursuant to which the same may be issued, and related matters; declaring such bonds to be free from taxation and to be subject to certain provisions of the uniform commercial code; empowering the authority to purchase or otherwise acquire airport facilities and authorizing cities to sell or lease the same; providing for the assumption, refunding or payment of the obligations of any city selling an airport facility to the authority; declaring the bonds to be legally authorized investments for certain institutions; providing for bank depositories; providing for investment or reinvestment of unincumbered funds of the authority; exempting the property of the authority from taxation; prohibiting certain conduct of authority personnel and directors and providing for a penalty therefor; prohibiting the seizure of any of the property of the authority by execution, garnishment or attachment; providing for the adoption of zoning regulations; providing for the adding of additional counties to the authority; authorizing municipalities to cooperate and aid in the development of airport projects in various respects when such projects will benefit such municipalities; enacting other provisions related to the aforementioned subjects; providing for the primary airport area; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Bates:

S. B. No. 7, A bill to be entitled "An Act authorizing all regional college districts which have been converted to fully state supported institutions of higher learning to transfer all assets of such districts, real, personal, tangible or intangible to the governing boards of such institutions provided that each such governing board shall continue the payment of all notes and bonds payable from revenues theretofore issued by such districts and each county in which any such regional college district is located continues to levy and

collect taxes in support of all tax obligations theretofore authorized and issued by such district; and declaring an emergency."

To the Committee on Education.

By Senator Bates:

S. B. No. 8, A bill to be entitled "An Act making findings and declaring policies relating to occupational safety; defining terms of this Act; providing duties of employers as to occupational safety; creating within the Bureau of Labor Statistics and Occupational Safety Board; authorizing said Board, after public hearing, to make and publish in occupational safety rules for places of employment; creating within the Bureau of Labor Statistics a Division of Occupational Safety; providing for the enforcement and administration of such rules by the Commissioner of the Bureau of Labor Statistics; providing for judicial review of such rules; providing enforcement procedures and penalties; providing for cooperation with the State Department of Health; providing separability; repealing conflicting laws; and declaring an emergency."

To the Committee on State Affairs.

By Senator Bates:

S. B. No. 9, A bill to be entitled "An Act amending Section 37, Article I, of Texas Liquor Control Act, as heretofore amended, by adding to the first paragraph or subdivision thereof as an identifying prefix the letter (a); by adding a new subdivision identified as subsection (b), preserving unto licensed beer distributors the right to continue operating as distributors and to engage in the business of selling and distributing beer in counties, justice precincts, or incorporated cities or towns where the sale of beer has been prohibited by valid local option election; provided that the sale of beer in such prohibited political subdivision shall be made only to licensed outlets to sell beer located outside of such political subdivision; by adding a new subdivision identified as subsection (c), preserving unto holders of Wholesaler's Permits the right to continue operating as wholesalers and to engage in the business of selling and distributing liquor at wholesale in counties, justice precincts, or incorporated cities or towns where the

sale of liquor has been prohibited by valid local option election; provided that the sale of liquor in such prohibited political subdivisions shall be made to permit-holding outlets located outside of such political subdivision; by adding another subdivision immediately following subdivision (c), identified as subsection (d), declaring policy of the Act; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Bates, Connally, Berry, Bernal and Brooks:

S. B. No. 10, A bill to be entitled "An Act providing for the regulation, licensing, and taxing of horse racing and pari-mutuel wagering in this state; repealing Articles 647 through 652, Penal Code of Texas, 1925, and Sections 2, 2a, and 4, Chapter 1, Acts of the 45th Legislature, 1st Called Session, 1937; amending Chapter 2, Acts of the 45th Legislature, 1st Called Session, 1937; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Bates:

S. B. No. 11, A bill to be entitled "An Act repealing Articles 283, 284, 285, 286, and 287, as amended, Penal Code of Texas, 1925, and Chapter 15, Acts of the 57th Legislature, 1st Called Session, 1961 (Article 286a, Vernon's Texas Penal Code), relating to the regulation or restriction of business or commerce on Sunday; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Creighton:

S. B. No. 12, A bill to be entitled "An Act relating to voter registration and voter identification procedures at the polls; amending the Texas Election Code as follows: Amending Section 34 (Article 5.02); adding a new Section 43a-1; amending Section 44a (Article 5.12a); amending Section 45a (Article 5.13a); amending Section 46a (Article 5.14a); adding a new Section 46b; amending Section 48a (Article 5.16a); amending Section 50a (Article 5.18a); amending Section 51a (Article 5.19a); amending Subsection 2, Section 51b (Article 5.19b); amending Section 52a (Article

5.20a); amending Section 54a (Article 5.22a); amending Section 89 (Article 8.07); and amending Section 90 (Article 8.08); and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Creighton:

S. B. No. 13, A bill to be entitled "An Act amending Section 234, Texas Election Code (Article 13.57, Vernon's Texas Election Code); relating to unauthorized use of the name of a political party or a similar name; and declaring an emergency."

To the Committee on Privileges and Elections.

By Senators Creighton, Hardeman, Christie, Kennard, Bernal, Herring, Schwartz, Jordan and Cole:

S. B. No. 14, A bill to be entitled "An Act changing the name of the 'Board of Regents of The University of Texas' to the 'Board of Regents of The University of Texas System'; authorizing the Board of Regents to change the name of certain institutions within The University of Texas System; providing an organizational arrangement; providing for transfer of appropriations and obligations and for no other change in status; and declaring an emergency."

To the Committee on State Affairs.

By Senator Aikin:

S. B. No. 15, A bill to be entitled "An Act appropriating money for the support of the Judicial, Executive, and Legislative branches of the State Government, for the construction of State buildings, and for State aid to public junior colleges, for the two-year period beginning September 1, 1967, and ending August 31, 1969; authorizing the prescribing conditions, limitations, rules and procedures for allocating and expending the appropriated funds; and declaring an emergency."

To the Committee on Finance.

By Senators Aikin, Word, Hardeman, Hall, Wilson, Bates, Patman, Jordan, Watson, Kennard, Mauzy, Bernal, Harrington, Reagan, Ratliff, Christie, Brooks, Herring and Grover.

S. B. No. 16, A bill to be entitled "An Act to amend Section 1 of Ar-

ticle IV, and Sections 2 and 4 of Article VI, Senate Bill No. 116, Chapter 334, 51st Legislature, Regular Session, 1949, as last amended by Senate Bill No. 4, Chapter 438, Acts 59th Legislature, 1965, so as to improve the minimum teacher salary schedule in the Foundation Program Act; providing for the local fund assignment for the school year 1967-68 on a specific basis, thereafter to be determined on a prescribed formula; providing a savings and severability clause; and declaring an emergency."

To the Committee on Education.

By Senators Hazlewood and Kenard:

S. B. No. 17, A bill to be entitled "An Act amending Section 2(a), Chapter 425, Acts of the 56th Legislature, Regular Session, 1959, as last amended by Chapter 466, Acts of the 59th Legislature, Regular Session, 1965, further defining "dangerous drugs" by adding subsection (14), and declaring an emergency."

To the Committee on Public Health.

By Senators Hazlewood, Wilson and Brooks:

S. B. No. 18, A bill to be entitled "An Act exempting veterans of the Southeast Asia military action from payment of tuition and fees at state supported universities and colleges; amending Section 1, Chapter 6, Acts of the 43rd Legislature, 1st Called Session, 1933; and declaring an emergency."

To the Committee on Education.

By Senator Watson:

S. B. No. 19, A bill to be entitled "An Act requiring the identification of practitioners of the healing arts who are included and excluded under the medical coverage provided in an accident and sickness insurance policy; amending Chapter 397, Acts of the 54th Legislature, 1955, by adding Subsection B to Section 2, as amended (Article 3.70-2, Vernon's Texas Insurance Code), and by amending Section 8 (Article 3.70-8, Vernon's Texas Insurance Code); providing an effective date, with certain approval authority in the State Board of Insurance as authorized by this Act; repealing laws in conflict; and declaring an emergency."

To the Committee on Insurance.

By Senator Watson:

S. B. No. 20, A bill to be entitled "An Act authorizing the Board of Directors of Texas A & M University to acquire by purchase in the name of the State of Texas James Connally Air Force Base, including any or all real or personal property therein contained; providing that the total cost of such purchase shall not exceed Four Million Dollars (\$4,000,000); providing an appropriation out of the General Revenue Fund; repealing laws in conflict; providing a severability clause; and declaring an emergency."

To the Committee on Finance.

By Senator Ratliff:

S. B. No. 21, A bill to be entitled "An Act amending Sections 1, 4, 5, and 7, Chapter 323, Acts of the 59th Legislature, Regular Session, 1965 (Article 6144g, Vernon's Texas Civil Statutes), to establish the Texas Fine Arts Commission on a permanent basis, provide for its meetings, permit appropriations from state funds for the Commission and eliminate requirement of maintaining an office in Austin; and declaring an emergency."

To the Committee on State Affairs.

By Senator Ratliff:

S. B. No. 22, A bill to be entitled "An Act authorizing creation of the Merkel Hospital District; providing for an election within the area of the proposed hospital district and making certain findings in connection therewith; providing for the operation and financing of said district, including the procedures it is to follow; providing a severability clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Harrington and Schwartz:

S. B. No. 23, A bill to be entitled "An Act amending Article 8274, Revised Civil Statutes of Texas, 1925, as amended, to increase the rate of pilotage; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Christie and Harde-
man:

S. B. No. 24, A bill to be entitled

"An Act setting aside for park purposes only the mineral estate of certain land in the counties of Culberson and Hudspeth to be used as a part of the Guadalupe Mountains National Park; making other provisions relating to the creation of Guadalupe Mountains National Park; providing certain powers and duties of the Commissioner of the General Land Office and other officials relating thereto; providing a severability clause; providing a repealing clause; providing a reverter clause; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Wilson:

S. B. No. 25, A bill to be entitled "An Act amending Section 29 of the Texas Trust Act, Chapter 148, Acts of the 48th Legislature (1943), sec. 29, p. 232, codified as Article 7425b-29, Vernon's Texas Civil Statutes, relating to the allocation of dividends and share rights; providing for severability; and declaring an emergency."

To the Committee on Banking.

By Senator Wilson:

S. B. No. 26, A bill to be entitled "An Act exempting Viet Nam veterans from dues, fees, and charges at certain institutions of collegiate rank; amending Chapter 6, Acts of the 43rd Legislature, 1st Called Session, 1933, as amended (Article 2654b-1, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Education.

By Senator Parkhouse:

S. B. No. 27, A bill to be entitled "An Act to amend Article 18.23 of the Texas Insurance Code, as amended, and declaring an emergency."

To the Committee on Insurance.

By Senator Wade:

S. B. No. 28, A bill to be entitled "An Act authorizing the Central Education Agency to establish a special program for pre-school children who have language disorders and providing for the method of financing the program; and declaring an emergency."

To the Committee on Education.

By Senator Wade:

S. B. No. 29, A bill to be entitled

"An Act amending Paragraph a, Subsection (4), Section 1, Article III, Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Article 2922-13, Vernon's Texas Civil Statutes), by redefining the term 'exceptional children' to include language handicapped children; defining 'language handicapped children'; and declaring an emergency."

To the Committee on Education.

By Senator Wade:

S. B. No. 30, A bill to be entitled "An Act relating to the establishment of an advisory council for the study and research of the problems of language handicapped children and defining the duties of the Texas Education Agency and the commissioner of education concerning study and research into the problems of language handicapped children and the development and carrying out of diagnostic and treatment programs for such children; providing an appropriation; and declaring an emergency."

To the Committee on Finance.

By Senator Wade:

S. B. No. 31, A bill to be entitled "An Act to amend Acts 1947, 50th Legislature, Chapter 70 by adding a new section to such act making the bonds issued by the governing boards of public junior colleges pursuant to such act authorized investments, and making them eligible to secure public funds; and declaring an emergency."

To the Committee on State Affairs.

By Senators Herring, Reagan, Wilson, Creighton, Watson, Patman, Harrington and Kennard:

S. B. No. 32, A bill to be entitled "An Act amending Article V of Chapter 720, Acts of the 59th Legislature, R.S., 1965, providing salary increases for certain state employees, describing procedures for converting to increased annual rates, appropriating funds, providing for reporting procedures, and declaring an emergency."

To the Committee on Finance.

At Ease

On motion of Senator Aikin and by unanimous consent the Senate at 11:20 o'clock a.m. agreed to stand At Ease Subject to the Call of the Chair in

order for the Finance Committee to meet.

(Senator Strong in the Chair.)

(President in the Chair.)

In Legislative Session

The President called the Senate to order As In Legislative Session at 11:44 o'clock a.m.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 23, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 5, In memory of John W. Runyon.

H. C. R. No. 12, Congratulating and extending greetings to Her Royal Highness, Princess Irene of Greece, and expressing appreciation to the people of Greece for the fine citizens of Greek descent who now make Texas their home.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolution 12 on Second Reading

The President laid before the Senate on its second reading:

H. C. R. No. 12, Congratulating and extending greetings to Her Royal Highness, Princess Irene of Greece, and expressing appreciation to the people of Greece for the fine citizens of Greek descent who now make Texas their home.

The resolution was read.

On motion of Senator Mauzy and by unanimous consent the resolution was considered immediately and was adopted.

Report of Standing Committee

Senator Aikin submitted the following report:

Austin, Texas
January 23, 1967

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Finance to which was referred S. B. No. 32, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman

Senate Bill 32 Ordered Not Printed

On motion of Senator Herring and by unanimous consent S. B. No. 32 was ordered not printed.

Communication From State Department of Public Welfare

The following communication from the State Department of Public Welfare was read and was referred to the Committee on Nominations:

Hon. Preston Smith, Lieutenant Governor of Texas and The State Senate of Texas, Austin, Texas.

Gentlemen: We, the undersigned members of the State Board of Public Welfare, hereby submit for confirmation the name of Mr. Burton G. Hackney of Brownfield, Texas, as Commissioner of Public Welfare of the State Department of Public Welfare.

Respectfully submitted,

WILL BOND,
Vice-Chairman

W. KENDALL BAKER,
Member

Resolutions Signed

The President signed in the presence of the Senate after the captions had been read, the following enrolled resolutions:

H. C. R. No. 9, Congratulating the Pirates of Granbury High School and their coaches and sponsors.

H. C. R. No. 12, Congratulating and extending greetings to Her Royal Highness, Princess Irene of Greece.

S. C. R. No. 2, In Memory of John H. Winters.

S. C. R. No. 3, In Memory of William Lockhart Clayton, a businessman, statesman, philanthropist and gentleman-author of the Marshall Plan.

S. C. R. No. 4, In Memory of Former Governor Dan Moody.

Senate Bills and Resolutions on First Reading

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

By Senators Word and Hardeman:

S. B. No. 33, A bill to be entitled "An Act relating to the rights, duties, privileges, powers, and liabilities of spouses; revising and amending Chapters 2 and 3, Title 75, Revised Civil Statutes of Texas, 1925; amending Articles 6632, 6647, 1065, 5518, 5519, and 5535; amending the Insurance Code by adding a new Article 3.49-3; repealing Articles 1300, 1983, 1985, 4611, 4612, 4616, 6605, 6608, 6648, 6649, 6650, and 6651, Revised Civil Statutes of Texas, 1925; providing a saving clause; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hardeman:

S. B. No. 34, A bill to be entitled "An Act to provide for the leasing of coal, lignite, sulphur and potash that may be upon and within surveys, and portions of surveys, that have heretofore been sold with all minerals reserved to the State; constituting the owner of the soil the agent of the State for the purpose of leasing such minerals, upon such terms as may be prescribed by the School Land Board; providing for one-half ($\frac{1}{2}$) of all bonuses, rentals and royalties to be paid by the lessee to the State, and like amounts to the owner of the soil, providing that the Commissioner of the General Land Office is given the right to reject and refuse to file any lease submitted which he feels is not to the best interest of the State; providing that the amounts received by the owner of the soil are in lieu of all damages to the soil; providing that all payments made to the State shall be through the Commissioner of the General Land Office, at Austin, Texas; providing that said minerals may be leased together or separately; providing for forfeiture of the lease for failure of lessee to comply with the law and the terms of the lease; providing for repeal of all conflicting laws, or parts thereof; enacting a savings clause; and declaring an emergency."

To the Committee on Oil and Gas.

By Senator Creighton:

S. B. No. 35, A bill to be entitled

"An Act making privileged certain communications between a clergyman and confessor; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Creighton and Kennard:

S. B. No. 36, A bill to be entitled "An Act relating to the election of school trustees for The Fort Worth Independent School District by repealing Section 10 of Chapter 230 of the Local and Special Laws of the 39th Legislature as embodied in an Act passed in the regular session thereof and substituting in lieu thereof the following: providing that the Board of Education shall order such election, cause such order to be published in a newspaper at least 10 days previous to the election, naming the date within which candidates must file, appointing persons to hold the election and the date and places where the polls shall be opened and further providing that all elections shall be held, on the first Saturday in April, in accordance with the State Law governing elections except as modified by the provisions of the Act creating The Fort Worth Independent School District and amendments thereto and providing that the returns of the election shall be canvassed by the Board of Education and that no person shall be elected until he has complied with all applicable laws and received a majority of the votes cast in said election and in the event no candidate receives a majority of the votes in the April election a second election shall be held on the first Saturday in May succeeding the first election and only the names of the two candidates who received the highest number of votes in the April election shall be placed on the official ballots as candidates for such office at such second election and providing that the Board shall canvass the returns of the second election, declare the results thereof and issue a certificate of election to the candidate receiving a majority of the votes shown by the returns of the election."

To the Committee on Counties, Cities and Towns.

By Senator Creighton:

S. B. No. 37, A bill to be entitled "An Act relating to and fixing minimum and maximum salary of the

Official Shorthand Reporter for the 43rd Judicial District of Texas; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Strong:

S. B. No. 38, A bill to be entitled "An Act amending Sections 2 and 4 of Chapter 23, Acts of the Fifty-ninth Legislature, Regular Session, which created the Middle Sabine River Navigation District, by adding territory thereto; appointing and providing residence requirements of the board of directors of such district; and declaring an emergency."

To the Committee on Water and Conservation.

By Senator Strong:

S. B. No. 39, A bill to be entitled "An Act amending Section 8 of Chapter 224, Acts of the Fiftieth Legislature, relating to creation of Board of Trustees for certain junior college districts so as to change the term of office of trustees elected for junior college districts governed by the provisions of said Act; providing a severability clause; and declaring an emergency."

To the Committee on Education.

By Senator Strong:

S. B. No. 40, A bill to be entitled "An Act prescribing the minimum and maximum salary to be paid to the official shorthand reporter for the 124th Judicial District: prescribing the method of fixing and paying such salary; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Word:

S. B. No. 41, A bill to be entitled "An Act amending Chapter III, Article 12; Chapter IV, Article 1; Chapter IV, Article 6, as amended; Chapter V, Article 5; Chapter IX, Article 3, as amended; all of said Chapters and Articles being a part of the Texas Banking Code of 1943, same being Chapter 97, Acts of the 48th Legislature, Regular Session, 1943; amending subsection (c) of Section 2, Article 4, as contained in Section 4 of Acts, 58th Legislature, Regular Session, Chapter 81, Page 134, codified as subsection (c) of Section 2, Article 342-504, Vernon's Texas Civil Statutes (a part of

Article 4, Chapter V of the Texas Banking Code of 1943, as amended); amending Section 1c, Acts 1955, 54th Legislature, Regular Session, Chapter 16, Page 19, as amended; and transferring the provisions of Acts 1955, 54th Legislature, Regular Session, Chapter 16, Page 19, as amended (now codified as Article 459ld, Vernon's Texas Civil Statutes), making same a part of Chapter IX of the Texas Banking Code of 1943, to be designated as Article 10a thereof; authorizing stock option plans for state banks, with certain restrictions; providing for perpetual or limited corporate existence for state banks; requiring notice to the Commissioner in certain cases where stock of a state bank is transferred, and providing punishment for violations; providing for filling vacancies and adding directors, with certain limitations, on boards of directors of state banks; authorizing certain real estate loans, with limitations; authorizing investment in and loans upon security of insured savings accounts issued by certain savings and loan associations; redefining the legal meaning of the term "banking house"; providing that when certain designated bank holidays fall on Sunday, then the Monday next following such Sunday shall be a legal holiday for banking purposes on which each bank and trust company in Texas shall remain closed; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency."

To the Committee on Banking.

By Senator Word:

S. B. No. 42, A bill to be entitled "An Act to create county traffic courts with original and appellate jurisdiction in certain traffic cases; prescribing the organization, jurisdiction, powers, and procedure of such courts; and conforming the jurisdiction and procedure of other courts thereto; repealing all laws in conflict herewith and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senator Parkhouse:

S. B. No. 43, A bill to be entitled "An Act relating to the dissolution of judicial districts under certain

circumstances; amending Chapter 156, Acts of the 40th Legislature, Regular Session, 1927, as amended (Article 200a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Legislative, Congressional and Judicial Districts.

By Senators Parkhouse, Wade and Mauzy:

S. B. No. 44, A bill to be entitled "An Act constituting a local law for the maintenance of public roads and highways in Dallas County by amending Section 2 and Section 3 of Chapter 62, Acts of the Fifty-Ninth Legislature, Regular Session, to provide additional purposes for which certificates of indebtedness may be issued and to increase the amount of certificates of indebtedness which shall be issued; enacting other provisions relating to the subject; and declaring an emergency."

To the Committee on Counties, Cities and Towns.

By Senators Bernal and Bates:

S. B. No. 45, A bill to be entitled "An Act amending Senate Bill No. 36, Page 544, General Laws of the State of Texas, Acts of the Forty-sixth Legislature, Regular Session, 1939, as amended by House Bill No. 611, Chapter 562, Page 914, General and Special Laws of the State of Texas, Forty-seventh Legislature, Regular Session, 1941, as amended, which is codified as Article 695c, Vernon's Texas Civil Statutes, by amending Subsection (2) of Section 20; authorizing Old Age Assistance payments to non-citizens who have resided within the boundaries of the United States for at least twenty-five (25) years; fixing an effective date of assistance grants; providing a repealing clause, a savings clause, and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Bernal:

S. B. No. 46, A bill to be entitled "An Act to amend Section 4 of Chapter 129, page 219, Acts 56th Legislature, Regular Session, 1959, so as to eliminate the maximum student

requirement for entering classes at The University of Texas South Texas Medical School; and declaring an emergency."

To the Committee on Education.

By Senator Harrington:

S. J. R. No. 1, Proposing an Amendment to the Constitution of the State of Texas to provide for an exemption of Three Thousand Dollars (\$3,000) of the value of residence homesteads of all persons sixty-five years of age or older from all ad valorem taxes levied by any county, city, town, school district or other political subdivision or instrumentality of the State.

To the Committee on Constitutional Amendments.

By Senator Parkhouse:

S. J. R. No. 2, Proposing a constitutional amendment authorizing the Legislature to delegate the authority to abolish or dissolve judicial districts.

To the Committee on Constitutional Amendments.

Co-Authors of Senate Bill 32

On motion of Senator Herring and by unanimous consent Senators Reagan, Watson, Wilson, Patman, Kennard, Harrington and Creighton will be shown as Co-authors of S. B. No. 32.

Welcome Resolution

S. R. No. 34—By Senator Herring: Extending welcome to students, teachers and sponsors of Sims Elementary School of Austin.

Adjournment

On motion of Senator Aikin the Senate at 12:00 o'clock m. adjourned until 10:30 o'clock a.m. tomorrow.

Sent To Governor

January 23, 1967

S. C. R. No. 2

S. C. R. No. 3

S. C. R. No. 4

In Memory of

John W. Runyon

Senator Parkhouse offered the following resolution:

(Senate Concurrent Resolution 5)

Whereas, In the passing of John W. Runyon on Friday, January 20, 1967, the City of Dallas and all of Texas lost an outstanding citizen and one of the foremost newspaper publishers in the United States; and

Whereas, He was 79 at the time of his death and until a very few weeks ago had been an active, nine-hour-a-day force on the Dallas Times Herald and KRLD broadcasting facilities which he headed; and

Whereas, John W. Runyon rose from boy clerk to Chairman of the Board of The Times Herald Printing Company and Publisher of The Times Herald during 55 years of service, and in the true tradition of American opportunity he was a real-life Horatio Alger hero; and

Whereas, His first job on The Times Herald was that of display advertising collector, and a year later he became one of the newspaper's two advertising solicitors; and

Whereas, By the end of World War I, he was advertising manager, a post he held for 23 years until he was named vice-president of the firm on the death of his long-time friend, founder-publisher Edwin J. Kiest in 1941; and

Whereas, With the passing of Tom C. Gooch in 1952, he assumed the presidency and was voted chairman of the board of directors and publisher in 1960; and

Whereas, Beginning in 1943, he doubled as advertising manager of The Times Herald and president of KRLD, and two years later was elevated to the position of Chairman of the Board of KRLD, which was the Times Herald station and a CBS affiliate; and

Whereas, He often recalled with humor the early years of the radio station, when all broadcasts were live, studio-originated, and instead of records "... you had to rely on local talent for entertainment"; and

Whereas, Dallas was his adopted city, as he was born in Cedar Rapids, Iowa, on March 23, 1887, but came to Dallas in 1906, then began the dedication of the 61 years of his life to Dallas, The Times Herald, KRLD, Texas--and his friends; and

Whereas, During his entire career, from clerk to the chief executive of The Times Herald and KRLD, he always presented to his employees and associates a true spirit of camaraderie, so that nearly everybody felt free to call him "Johnny", and did so; and

Whereas, To John Runyon, work was life, and he took no time for hobbies but kept a constant interest in the progress of The Times Herald, KRLD, and the many civic organizations in which he participated; and

Whereas, Religion formed an integral part of his life; he was a member of the Ervay Street Methodist Church and its successor, the Schreiber Memorial Methodist Church, and his civic activities were multiple: in addition to his Masonic work—he was a 33rd degree Mason and Past Master of the Washington Masonic Lodge—he was a director of the State Fair of Texas, the Dallas Grand Opera Association, the Downtown Improvement and Property Owners Association, the Trinity River Naviga-

tion Association, the Texas Law Enforcement Foundation, the Southwest Medical Foundation and the Texas Research Foundation at Renner; he was also a member of the state committee of the Texas Crusade for Freedom, and, in 1957, Supreme Court Justice Tom C. Clark appointed him to a special "Law and Layman" committee of the American Bar Association; and

Whereas, As vice-president of Scottish Rite Hospital for Crippled Children in Dallas, he had intense interest in afflicted youngsters, and at his death flags were flown at half-staff at the hospital, the Scottish Rite Temple and The Dallas Times Herald; and

Whereas, He was one of the few men in American communications who served both as president of a newspaper and a broadcasting station; he was largely responsible for the 1958 multimillion-dollar expansion program for The Times Herald which gave Dallas one of the largest and most modern newspaper plants in the nation; and

Whereas, He was also instrumental in bringing about the expansion program now under way at The Times Herald, which is designed to give that newspaper new pressroom and mail-room facilities; and

Whereas, Many in Dallas mourn and miss this tireless and dedicated citizen and public leader, and, on being notified of his death, James F. Chambers, Jr., president of The Times Herald, said: "He was a quiet philanthropist who gave without fanfare. He liked to help individuals--and in unexpected ways. He would stop by the desk of an employee and press bills into his or her hand to make a much-needed vacation possible"; and about his civic responsibility: "Mr. Runyon was a persuasive man and he worked quietly behind the scenes for the good of Dallas. It was he who got the late R. L. Thornton to run for mayor by convincing him that the city needed his leadership in that post"; and

Whereas, Clyde W. Rembert, president of KRLD, said: "He believed in, and valued, loyalty very highly. He had great confidence in his fellow workers. He was my good friend and I will miss him"; and

Whereas, The Texas Legislature wishes to pay tribute to this outstanding philanthropist, business and civic leader, who will be so greatly missed by the members of his family, his many friends, business and civic associates, and fellow Masons; now, therefore, be it

Resolved by the Senate of the 60th Legislature, the House of Representatives concurring, That by this Resolution the Texas Legislature pays respect to the memory of John W. Runyon and extends sympathy to his family; and, be it further

Resolved, That copies of this Resolution be prepared for the members of his family: his wife, the former Grace Dowd; his son, John W. Runyon, Jr.; and a granddaughter, Mrs. Joan Runyon Still, all of Dallas; and that when the Houses of the Legislature adjourn this day that they do so in memory of John W. Runyon.

PARKHOUSE
MAUZY
WADE
HALL

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Moore, Patman, Ratliff, Reagan, Schwartz, Strong, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.